IMT Nuremberg Archives

H - 5171

International Court of Justice

H5171 - 0002

Rule 97

Procedure for Admission in Evidence of Documents

The Chief Prosecutor for the United States has requested the Tribunal to make a change in its formal order which provided that only such portions of documents which are read in the court would be admitted as evidence. In order to meet the needs, so far as possible, of the members of the Tribunal, of the Prosecution, and of Counsel for the Defendants, to have before them all of the evidence in the case, the Tribunal, having carefully considered the request, makes the following order:

All documents may be filed in Court.
The Tribunal shall only admit in evidence, however:

1. Documents or portions of documents which are read in Court;

2. Documents or portions of documents which are cited in Court, on the condition that they have been translated into the respective languages of the members of the Tribunal for their use; and that sufficient numbers in German are filed in the Information Center for the use of Defense Counsel.

This does not apply to the documents of which the Court will take judicial notice in accordance with Article 21 of the Charter, and the prosecution and the defendants will be at liberty to read those documents or to refer them without reading them.

Trial briefs and document books may be furnished to the Tribunal if sufficient copies thereof are, at the same time, filed for Defense Counsel in the Information Center. As far as possible, these should be furnished in advance of their introduction in Court. In order to permit the Interpretation and Translation Division to make translations in time, it is suggested that all documents be submitted to the Division at least five days before they are to be offered in evidence.

3rd Announcement. Court - 17 Dec 45

Rule 97

H5171 - 0003

18 October 1946

COURT RULINGS ON FINAL RECORD

Minutes - 5 January 1946

The Tribunal discussed at length the various problems regarding the formal record of proceedings of the Tribunal. During this discussion representatives of the Prosecution, Defense, the Soviet, British, French and American Secretaries and the Translation Division were present. The Tribunal made the following decision:

a. The Translation Division should continue the work of preparing a corrected text in English of the proceedings in Court by checking the stenographer's transcript with the film record of the proceedings.

b. This corrected text in English should be submitted to the General Secretary who should arrange with the Soviet and French Secretaries for the preparation of the corrected texts in Russian and French.

c. The General Secretary should also arrange for the preparation of a corrected text in German, and Dr. Stahmer promised the full cooperation of the Defense Counsel in this work.

d. The General Secretary, together with the four National Secretaries, after consultation with the Prosecutors and the Defense Counsel, should make what minor grammatical and other emendations to the four corrected texts they consider necessary in order that the texts should be complete and without manifest errors. Should the General Secretary and the four National Secretaries fail to reach agreement on some of the proposed emendations, the matter is to be referred to the Tribunal for their decision.

e. The General Secretary should then issue the corrected emended texts in English, Russian, French, and German.

f. The Tribunal decided to defer for the time being the further questions relating to the form of the final record.

Lieutenant Commander Steer, of the Translation Division, undertook to supply the Tribunal with a copy of the instructions given to the staff so that the Tribunal would be aware of the principles upon which the corrected text was being prepared, and the extent of the alterations and emendations.

Minutes - 6 March 1946

The Tribunal agreed to adopt the following resolution pertaining to the printing of the transcripts:

a. That the official revised transcript of the proceedings in Court be printed officially on behalf of the Tribunal in English, French, German, and Russian as soon as the texts have been certified.

H5171 - 0004

Minutes - 6 March 1946 (cont'd)

b. That the General Secretary be authorized to arrange for the employment of a Director of Printing, with necessary staff and facilities, who shall be charged with the duty of printing the transcript and settling all technical problems of supply and similar matters.

c. That the General Secretary be charged with the editorial supervision of the work, and that he be directed to carry this out in such a manner as to facilitate the addition of further material whenever the Tribunal so decides.

d. That, for the purpose of obtaining the necessary supplies and funds, the General Secretary be directed to proceed on the basis of Lieutenant Commander Steer's memorandum of 19 February 1946.

e. That the Control Counsel be informed of the Tribunal's resolution and be requested to grant the necessary facilities in respect to paper, materials and funds.

Minutes - 4 May 1946

The recommendations for the material to be printed in the first volume of the transcript of the proceedings of the trials as submitted by the Committee were considered. After discussion it was agreed that the following would be included in the first volume--the exact order in the printed volume to be an editorial decision when all the material is available:

1. Title page.
2. Table of contents.
3. List of judges.
4. List of prosecutors - legal not administrative.
5. List of defense counsel and associates.
6. List of principal officials of General Secretariat and Secretariats of four nations.
7. Agreements of the 8th of August and Charter.
8. Indictment.
9. Rules of procedure.
10. Certificates of Service of Indictment on defendants.
11. Written Order as to publication of notices to defendant Bormann and members of groups and organizations.
12. Report of Major Hortin as to publication of notices and any subsequent such reports.
13. Report of the proceedings in open session in Berlin on lodging of Indictment.
14. Transcripts of open sessions at Nurnberg prior to 20 November 1945.
15. Any written motions made to the Tribunal referred to in the preliminary open sessions.
16. Doctors' reports on the defendant Krupp.
17. Order as to medical examination of Hess.
18. Doctors' reports on the defendant Hess.
19. Doctors' reports on the defendant Streicher.

H5171 - 0005

Minutes - 6 May 1946

The Tribunal discussed the problem of the printing of the record. Mr. Biddle submitted a proposed order on this subject which was turned over to Mr. Barton for study and report by the Committee. It was further decided that in the meantime the members of the Tribunal would discuss the proposed order with the Chief Prosecutors. It was decided that recommendations for the position of Editor should be made by the Committee.

Minutes - 30 May 1946

ORDER FOR PRINTING OF RECORD

(1) Every document or portion of a document offered in evidence, or of which judicial notice was taken by the Tribunal, shall be lodged with the General Secretary.

(2) The General Secretary shall, subject to the approval of the Tribunal, employ under his direction an Editor of the Record, with appropriate staff and facilities, who shall be charged with the duty of arranging, editing and preparing for printing, and printing, material authorized to be printed by the Tribunal. There shall be printed, in addition to what the Tribunal has already authorized, under further orders of the Tribunal, material from the following:

(a) entire documents which are submitted, or from which extracts have been submitted;
(b) photographs and descriptions or photographs of non-documentary exhibits;
(c) documents or parts of documents judicially noticed by the Tribunal;
(d) published orders of the Tribunal not included in the transcript;
(e) such further material as the Tribunal from time to time may direct.

(3) The General Secretary shall

(a) prepare a list of all documents put in evidence before the Tribunal or noticed judicially by the Tribunal, and shall indicate therein those documents which have not been read and those documents from which extracts only have been read;
(b) ascertain and report to the Tribunal the views of the chief prosecutors and defense counsel as to those documents, or parts of documents, which they recommend for printing;
(c) ascertain and report to the Tribunal to what extent there are available translations into English, French, German and Russian of the material recommended in Paragraph (2) above.

H5171-0006

Minutes - 14 August 1946

The Tribunal revised the ruling of 1 December 1945 regarding custodian of fund established by the International Military Tribunal, to read as follows:

> The General Secretary is hereby authorized and directed to draw on the Tribunal fund for the purpose of paying expenses of the Tribunal and the present trial, including such items as counsel fees and costs, and expenses incident to the printing of the record.

Minutes - 14 August 1946

The request of the General Secretary for authorization to employ Professor Herbert Kraus as Assistant to the Editor of the Record on behalf of the Defense Counsel was approved by the Tribunal. The General Secretary is authorized to pay Dr. Kraus a salary of 3,500 RM per month.

Minutes - 29 September 1946

I. After receiving reports of Lieutenant Colonel L. D. Egbert, the Editor of the Record, and of Commander Steer, Head of the Translation Division, the Tribunal made the following decisions with respect to the printing of the record:

1. The printed Record will be in all four languages with the exception of the documents or parts of documents referred to in Paragraphs 2 b and c below, which will be printed in their original language only.

2. In addition to the material agreed upon by the Tribunal on 4 May 1946, there shall be printed:

a. The corrected transcript of the shorthand notes.

b. The documents or parts of documents filed as exhibits with the Tribunal together with any additional parts of such documents recommended in accordance with the Tribunal's order of 30 May 1946 by the Prosecution and Defense Counsel and approved by the Editor. These documents consist of:

(1) Documents filed as exhibits with the Tribunal, the whole or parts of which were read into the record.

(2) Documents filed as exhibits with the Tribunal, which, when "cited", had not been translated and which, on or before 31 August, were translated in all four languages so as to make them admissible.

c. Documents which were "judicially noticed" by the Tribunal. This class of documents includes treaties, laws, official publications, books, magazines and newspapers of national circulation as well as the documents specified in Article 21.

H5171-0007

d. (1) Final report on defense witnesses for organizations by Lieutenant Colonel Neave.

(2) Summaries of witnesses heard before the Commission.

(3) Summaries of affidavits presented to the Commission.

e. Photographs filed as exhibits.

f. Descriptions or photographs of material exhibits.

g. Copies of visual aids, such as charts, etc.

h. The judgment and sentences.

3. a. The following number of volumes will be printed: 10,000 in English, 5,000 in French, 5,000 in Russian, and 5,000 in German.

b. The General Secretary, upon the completion of the printing of the record or parts thereof, shall notify the Control Council in Berlin and shall make distribution in accordance with its instructions.

4. With regard to the printing of the Russian editions, the Tribunal approves the following arrangements:

a. That the Tribunal pay all expenses of the printing of the Russian edition, with the exception of the salaries of Soviet employees, such as proof readers.

b. That the Office of Director of Printing supply all materials needed for the Russian edition.

c. That the printing and binding be done in Leipzig, because of the availability in the Russian Zone of Russian type and Russian employees.

d. That the Editor and Printer be responsible for the supervision of the publication of the Russian edition, as well as the English, French, and German editions.

5. In accordance with the request of the Editor that certain persons should assist him in the preparation of the Printed Record, the appointment of the following persons is approved:

a. Mr. Mercer of the Translation Division, representing the British Delegation;

b. Mr. Fuster, representing the French Delegation;

c. Major Poltorak, representing the Soviet Delegation;

d. Dr. Kraus, representing the Defense Counsel.

H5171-0008

The above named persons will be responsible for finally corrected texts for publication in the languages which they represent. The Editor will assist them in every way possible to assure uniformity in the several texts.

6. The General Secretary shall remain in office in Nurnberg with an adequate staff until the record and printing thereof is complete.

7. The General Secretary shall make the necessary arrangements with the Control Council for the provision of funds to pay expenses of his office and the salaries of the personnel required for translation and other purposes incident to the printing of the record.

8. If the General Secretary has any questions in connection with the printing of the record upon which he requires a decision, these questions shall be referred to the Control Council.

II. After hearing the views of the four Chief Prosecutors, the Tribunal reaffirmed Rule 10 of the rules of procedure relative to the withdrawal of documents and substitution of certified copies thereof. On receipt of applications from the Prosecution or Defense, the General Secretary is authorized to act on behalf of the Tribunal in "permitting" the withdrawal and substitution as laid down in Rule 10.

Minutes - 1 October 1946

I. The Tribunal made the following decisions regarding the archives:

A. The archives will consist of:

1. a. The "master" copy of the final corrected transcript of the shorthand notes in each of the four languages certified by the General Secretary.

b. A copy of the uncorrected transcript of the shorthand notes in each of the four languages.

c. The electrical recording of the proceedings.

2. The four copies of the indictment actually lodged with the Tribunal in Berlin in October 1945.

3. The originals of the rules of procedure, written orders of the Tribunal, etc., in all four languages.

4. The original minutes of the closed sessions of the Tribunal.

5. Documentary and other exhibits, viz:

a. All original documents filed as exhibits with the Tribunal and not withdrawn in accordance with Rule 10.

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b. Copies of all original documents filed as exhibits with the Tribunal and withdrawn in accordance with Rule 10.

c. Certified copies, or officially printed copies, of all documents "judicially noticed" by the Tribunal.

d. Material exhibits.

e. Films shown to the Tribunal.

f. Visual aids such as charts, etc., used by the Tribunal.

g. Transcript of the shorthand notes of the evidence heard before the Commission.

h. Affidavits presented to the Commission.

i. The summaries of witnesses heard before the Commission.

j. The summaries of affidavits presented to the Commission.

k. Lieutenant Colonel Neave's report on defense witnesses for the organizations.

6. The signed judgment and sentences in each of the four languages.

II. The General Secretary will prepare and certify a schedule, to be preserved with the archives, of all the documentary and other exhibits included in the archives. This schedule will be sufficiently detailed to identify each document by reference to its title and, in appropriate cases, its exhibit and series number. In the cases of non-original documents, the schedule should, if possible, state where and in whose custody the originals are at the time of preparation of the schedule.

III. The archives shall be kept by the General Secretary so long as that office remains in existence and thereafter at The Permanent Court of International Justice of The Hague.

IV. Official representatives of the four signatory powers shall be permitted to copy by photostat, microfilm, or in any other way, any item included in the archives.

H5171-0010

18 October 1946

COURT RULINGS ON FINAL RECORD

Minutes - 5 January 1946

The Tribunal discussed at length the various problems regarding the formal record of proceedings of the Tribunal. During this discussion representatives of the Prosecution, Defense, the Soviet, British, French and American Secretaries and the Translation Division were present. The Tribunal made the following decision:

a. The Translation Division should continue the work of preparing a corrected text in English of the proceedings in Court by checking the stenographer's transcript with the film record of the proceedings.

b. This corrected text in English should be submitted to the General Secretary who should arrange with the Soviet and French Secretaries for the preparation of the corrected texts in Russian and French.

c. The General Secretary should also arrange for the preparation of a corrected text in German, and Dr. Stahmer promised the full cooperation of the Defense Counsel in this work.

d. The General Secretary, together with the four National Secretaries, after consultation with the Prosecutors and the Defense Counsel, should make what minor grammatical and other emendations to the four corrected texts they consider necessary in order that the texts should be complete and without manifest error. Should the General Secretary and the four National Secretaries fail to reach agreement on some of the proposed emendations, the matter is to be referred to the Tribunal for their decision.

e. The General Secretary should then issue the corrected emended texts in English, Russian, French, and German.

f. The Tribunal decided to defer for the time being the further questions relating to the form of the final record.

Lieutenant Commander Steer, of the Translation Division, undertook to supply the Tribunal with a copy of the instructions given to the staff so that the Tribunal would be aware of the principles upon which the corrected text was being prepared, and the extent of the alterations and emendations.

Minutes - 6 March 1946

The Tribunal agreed to adopt the following resolution pertaining to the printing of the transcripts:

a. That the official revised transcript of the proceedings in Court be printed officially on behalf of the Tribunal in English, French, German, and Russian as soon as the texts have been certified.

H5171 - 0011

Minutes - 6 March 1946 (cont'd)

b. That the General Secretary be authorized to arrange for the employment of a Director of Printing, with necessary staff and facilities, who shall be charged with the duty of printing the transcript and settling all technical problems of supply and similar matters.

c. That the General Secretary be charged with the editorial supervision of the work, and that he be directed to carry this out in such a manner as to facilitate the addition of further material whenever the Tribunal so decides.

d. That, for the purpose of obtaining the necessary supplies and funds, the General Secretary be directed to proceed on the basis of Lieutenant Commander Steer's memorandum of 19 February 1946.

e. That the Control Counsel be informed of the Tribunal's resolution and be requested to grant the necessary facilities in respect to paper, materials and funds.

Minutes - 4 May 1946

The recommendations for the material to be printed in the first volume of the transcript of the proceedings of the trials as submitted by the Committee were considered. After discussion it was agreed that the following would be included in the first volume--the exact order in the printed volume to be an editorial decision when all the material is available:

1. Title page.
2. Table of contents.
3. List of judges.
4. List of prosecutors - legal not administrative.
5. List of defense counsel and associates.
6. List of principal officials of General Secretariat and Secretariats of four nations.
7. Agreements of the 8th of August and Charter.
8. Indictment.
9. Rules of procedure.
10. Certificates of Service of Indictment on defendants.
11. Written Order as to publication of notices to defendant Bormann and members of groups and organizations.
12. Report of Major Hortin as to publication of notices and any subsequent such reports.
13. Report of the proceedings in open session in Berlin on lodging of Indictment.
14. Transcripts of open sessions at Nurnberg prior to 20 November 1945.
15. Any written motions made to the Tribunal referred to in the preliminary open sessions.
16. Doctors' reports on the defendant Krupp.
17. Order as to medical examination of Hess.
18. Doctors' reports on the defendant Hess.
19. Doctors' reports on the defendant Streicher.

H5171-0012

Minutes - 6 May 1946

The Tribunal discussed the problem of the printing of the record. Mr. Biddle submitted a proposed order on this subject which was turned over to Mr. Barton for study and report by the Committee. It was further decided that in the meantime the members of the Tribunal would discuss the proposed order with the Chief Prosecutors. It was decided that recommendations for the position of Editor should be made by the Committee.

Minutes - 30 May 1946

ORDER FOR PRINTING OF RECORD

(1) Every document or portion of a document offered in evidence, or of which judicial notice was taken by the Tribunal, shall be lodged with the General Secretary.

(2) The General Secretary shall, subject to the approval of the Tribunal, employ under his direction an Editor of the Record, with appropriate staff and facilities, who shall be charged with the duty of arranging, editing and preparing for printing, and printing, material authorized to be printed by the Tribunal. There shall be printed, in addition to what the Tribunal has already authorized, under further orders of the Tribunal, material from the following:

(a) entire documents which are submitted, or from which extracts have been submitted;
(b) photographs and descriptions or photographs of non-documentary exhibits;
(c) documents or parts of documents judicially noticed by the Tribunal;
(d) published orders of the Tribunal not included in the transcript;
(e) such further material as the Tribunal from time to time may direct.

(3) The General Secretary shall

(a) prepare a list of all documents put in evidence before the Tribunal or noticed judicially by the Tribunal, and shall indicate therein those documents which have not been read and those documents from which extracts only have been read;
(b) ascertain and report to the Tribunal the views of the chief prosecutors and defense counsel as to those documents, or parts of documents, which they recommend for printing;
(c) ascertain and report to the Tribunal to what extent there are available translations into English, French, German and Russian of the material recommended in Paragraph (2) above.

H5171 - 0013

Minutes - 14 August 1946

The Tribunal revised the ruling of 1 December 1945 regarding custodian of fund established by the International Military Tribunal, to read as follows:

> The General Secretary is hereby authorized and directed to draw on the Tribunal fund for the purpose of paying expenses of the Tribunal and the present trial, including such items as counsel fees and costs, and expenses incident to the printing of the record.

Minutes - 14 August 1946

The request of the General Secretary for authorization to employ Professor Herbert Kraus as Assistant to the Editor of the Record on behalf of the Defense Counsel was approved by the Tribunal. The General Secretary is authorized to pay Dr. Kraus a salary of 3,500 RM per month.

Minutes - 29 September 1946

I. After receiving reports of Lieutenant Colonel L. D. Egbert, the Editor of the Record, and of Commander Steer, Head of the Translation Division, the Tribunal made the following decisions with respect to the printing of the record:

1. The printed Record will be in all four languages with the exception of the documents or parts of documents referred to in Paragraphs 2 b and c below, which will be printed in their original language only.

2. In addition to the material agreed upon by the Tribunal on 4 May 1946, there shall be printed:

a. The corrected transcript of the shorthand notes.

b. The documents or parts of documents filed as exhibits with the Tribunal together with any additional parts of such documents recommended in accordance with the Tribunal's order of 30 May 1946 by the Prosecution and Defense Counsel and approved by the Editor. These documents consist of:

(1) Documents filed as exhibits with the Tribunal, the whole or parts of which were read into the record.

(2) Documents filed as exhibits with the Tribunal, which, when "cited", had not been translated and which, on or before 31 August, were translated in all four languages so as to make them admissible.

c. Documents which were "judicially noticed" by the Tribunal. This class of documents includes treaties, laws, official publications, books, magazines and newspapers of national circulation as well as the documents specified in Article 21.

H5171-0014

d. (1) Final report on defense witnesses for organizations by Lieutenant Colonel Neave.

(2) Summaries of witnesses heard before the Commission.

(3) Summaries of affidavits presented to the Commission.

e. Photographs filed as exhibits.

f. Descriptions or photographs of material exhibits.

g. Copies of visual aids, such as charts, etc.

h. The judgment and sentences.

3. a. The following number of volumes will be printed: 10,000 in English, 5,000 in French, 5,000 in Russian, and 5,000 in German.

b. The General Secretary, upon the completion of the printing of the record or parts thereof, shall notify the Control Council in Berlin and shall make distribution in accordance with its instructions.

4. With regard to the printing of the Russian editions, the Tribunal approves the following arrangements:

a. That the Tribunal pay all expenses of the printing of the Russian edition, with the exception of the salaries of Soviet employees, such as proof readers.

b. That the Office of Director of Printing supply all materials needed for the Russian edition.

c. That the printing and binding be done in Leipzig, because of the availability in the Russian Zone of Russian type and Russian employees.

d. That the Editor and Printer be responsible for the supervision of the publication of the Russian edition, as well as the English, French, and German editions.

5. In accordance with the request of the Editor that certain persons should assist him in the preparation of the Printed Record, the appointment of the following persons is approved:

a. Mr. Mercer of the Translation Division, representing the British Delegation;

b. Mr. Fuster, representing the French Delegation;

c. Major Poltorak, representing the Soviet Delegation;

d. Dr. Kraus, representing the Defense Counsel.

H5171 – 0015

The above named persons will be responsible for finally corrected texts for publication in the languages which they represent. The Editor will assist them in every way possible to assure uniformity in the several texts.

6. The General Secretary shall remain in office in Nurnberg with an adequate staff until the record and printing thereof is complete.

7. The General Secretary shall make the necessary arrangements with the Control Council for the provision of funds to pay expenses of his office and the salaries of the personnel required for translation and other purposes incident to the printing of the record.

8. If the General Secretary has any questions in connection with the printing of the record upon which he requires a decision, these questions shall be referred to the Control Council.

II. After hearing the views of the four Chief Prosecutors, the Tribunal reaffirmed Rule 10 of the rules of procedure relative to the withdrawal of documents and substitution of certified copies thereof. On receipt of applications from the Prosecution or Defense, the General Secretary is authorized to act on behalf of the Tribunal in "permitting" the withdrawal and substitution as laid down in Rule 10.

Minutes - 1 October 1946

I. The Tribunal made the following decisions regarding the archives:

A. The archives will consist of:

1. a. The "master" copy of the final corrected transcript of the shorthand notes in each of the four languages certified by the General Secretary.

b. A copy of the uncorrected transcript of the shorthand notes in each of the four languages.

c. The electrical recording of the proceedings.

2. The four copies of the indictment actually lodged with the Tribunal in Berlin in October 1945.

3. The originals of the rules of procedure, written orders of the Tribunal, etc., in all four languages.

4. The original minutes of the closed sessions of the Tribunal.

5. Documentary and other exhibits, viz:

a. All original documents filed as exhibits with the Tribunal and not withdrawn in accordance with Rule 10.

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b. Copies of all original documents filed as exhibits with the Tribunal and withdrawn in accordance with Rule 10.

c. Certified copies, or officially printed copies, of all documents "judicially noticed" by the Tribunal.

d. Material exhibits.

e. Films shown to the Tribunal.

f. Visual aids such as charts, etc., used by the Tribunal.

g. Transcript of the shorthand notes of the evidence heard before the Commission.

h. Affidavits presented to the Commission.

i. The summaries of witnesses heard before the Commission.

j. The summaries of affidavits presented to the Commission.

k. Lieutenant Colonel Neave's report on defense witnesses for the organizations.

6. The signed judgment and sentences in each of the four languages.

II. The General Secretary will prepare and certify a schedule, to be preserved with the archives, of all the documentary and other exhibits included in the archives. This schedule will be sufficiently detailed to identify each document by reference to its title and, in appropriate cases, its exhibit and series number. In the cases of non-original documents, the schedule should, if possible, state where and in whose custody the originals are at the time of preparation of the schedule.

III. The archives shall be kept by the General Secretary so long as that office remains in existence and thereafter at The Permanent Court of International Justice of The Hague.

IV. Official representatives of the four signatory powers shall be permitted to copy by photostat, microfilm, or in any other way, any item included in the archives.

H5171-0017

18 October 1946

COURT RULINGS ON FINAL RECORD

Minutes - 5 January 1946

The Tribunal discussed at length the various problems regarding the formal record of proceedings of the Tribunal. During this discussion representatives of the Prosecution, Defense, the Soviet, British, French and American Secretaries and the Translation Division were present. The Tribunal made the following decision:

a. The Translation Division should continue the work of preparing a corrected text in English of the proceedings in Court by checking the stenographer's transcript with the film record of the proceedings.

b. This corrected text in English should be submitted to the General Secretary who should arrange with the Soviet and French Secretaries for the preparation of the corrected texts in Russian and French.

c. The General Secretary should also arrange for the preparation of a corrected text in German, and Dr. Stahmer promised the full cooperation of the Defense Counsel in this work.

d. The General Secretary, together with the four National Secretaries, after consultation with the Prosecutors and the Defense Counsel, should make what minor grammatical and other emendations to the four corrected texts they consider necessary in order that the texts should be complete and without manifest error. Should the General Secretary and the four National Secretaries fail to reach agreement on some of the proposed emendations, the matter is to be referred to the Tribunal for their decision.

e. The General Secretary should then issue the corrected emended texts in English, Russian, French, and German.

f. The Tribunal decided to defer for the time being the further questions relating to the form of the final record.

Lieutenant Commander Steer, of the Translation Division, undertook to supply the Tribunal with a copy of the instructions given to the staff so that the Tribunal would be aware of the principles upon which the corrected text was being prepared, and the extent of the alterations and emendations.

Minutes - 6 March 1946

The Tribunal agreed to adopt the following resolution pertaining to the printing of the transcripts:

a. That the official revised transcript of the proceedings in Court be printed officially on behalf of the Tribunal in English, French, German, and Russian as soon as the texts have been certified.

H5171 - 0018

Minutes - 6 March 1946 (cont'd)

b. That the General Secretary be authorized to arrange for the employment of a Director of Printing, with necessary staff and facilities, who shall be charged with the duty of printing the transcript and settling all technical problems of supply and similar matters.

c. That the General Secretary be charged with the editorial supervision of the work, and that he be directed to carry this out in such a manner as to facilitate the addition of further material whenever the Tribunal so decides.

d. That, for the purpose of obtaining the necessary supplies and funds, the General Secretary be directed to proceed on the basis of Lieutenant Commander Steer's memorandum of 19 February 1946.

e. That the Control Counsel be informed of the Tribunal's resolution and be requested to grant the necessary facilities in respect to paper, materials and funds.

Minutes - 4 May 1946

The recommendations for the material to be printed in the first volume of the transcript of the proceedings of the trials as submitted by the Committee were considered. After discussion it was agreed that the following would be included in the first volume--the exact order in the printed volume to be an editorial decision when all the material is available:

1. Title page.
2. Table of contents.
3. List of judges.
4. List of prosecutors - legal not administrative.
5. List of defense counsel and associates.
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7. Agreements of the 8th of August and Charter.
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12. Report of Major Hortin as to publication of notices and any subsequent such reports.
13. Report of the proceedings in open session in Berlin on lodging of Indictment.
14. Transcripts of open sessions at Nurnberg prior to 20 November 1945.
15. Any written motions made to the Tribunal referred to in the preliminary open sessions.
16. Doctors' reports on the defendant Krupp.
17. Order as to medical examination of Hess.
18. Doctors' reports on the defendant Hess.
19. Doctors' reports on the defendart Streicher.

H5171-0018A

Minutes - 6 May 1946

The Tribunal discussed the problem of the printing of the record. Mr. Biddle submitted a proposed order on this subject which was turned over to Mr. Barton for study and report by the Committee. It was further decided that in the meantime the members of the Tribunal would discuss the proposed order with the Chief Prosecutors. It was decided that recommendations for the position of Editor should be made by the Committee.

Minutes - 30 May 1946

ORDER FOR PRINTING OF RECORD

(1) Every document or portion of a document offered in evidence, or of which judicial notice was taken by the Tribunal, shall be lodged with the General Secretary.

(2) The General Secretary shall, subject to the approval of the Tribunal, employ under his direction an Editor of the Record, with appropriate staff and facilities, who shall be charged with the duty of arranging, editing and preparing for printing, and printing, material authorized to be printed by the Tribunal. There shall be printed, in addition to what the Tribunal has already authorized, under further orders of the Tribunal, material from the following:

(a) entire documents which are submitted, or from which extracts have been submitted;
(b) photographs and descriptions or photographs of non-documentary exhibits;
(c) documents or parts of documents judicially noticed by the Tribunal;
(d) published orders of the Tribunal not included in the transcript;
(e) such further material as the Tribunal from time to time may direct.

(3) The General Secretary shall

(a) prepare a list of all documents put in evidence before the Tribunal or noticed judicially by the Tribunal, and shall indicate therein those documents which have not been read and those documents from which extracts only have been read;
(b) ascertain and report to the Tribunal the views of the chief prosecutors and defense counsel as to those documents, or parts of documents, which they recommend for printing;
(c) ascertain and report to the Tribunal to what extent there are available translations into English, French, German and Russian of the material recommended in Paragraph (2) above.

H5171 - 0019

Minutes - 14 August 1946

The Tribunal revised the ruling of 1 December 1945 regarding custodian of fund established by the International Military Tribunal, to read as follows:

> The General Secretary is hereby authorized and directed to draw on the Tribunal fund for the purpose of paying expenses of the Tribunal and the present trial, including such items as counsel fees and costs, and expenses incident to the printing of the record.

Minutes - 14 August 1946

The request of the General Secretary for authorization to employ Professor Herbert Kraus as Assistant to the Editor of the Record on behalf of the Defense Counsel was approved by the Tribunal. The General Secretary is authorized to pay Dr. Kraus a salary of 3,500 RM per month.

Minutes - 29 September 1946

I. After receiving reports of Lieutenant Colonel L. D. Egbert, the Editor of the Record, and of Commander Steer, Head of the Translation Division, the Tribunal made the following decisions with respect to the printing of the record:

1. The printed Record will be in all four languages with the exception of the documents or parts of documents referred to in Paragraphs 2 b and c below, which will be printed in their original language only.

2. In addition to the material agreed upon by the Tribunal on 4 May 1946, there shall be printed:

a. The corrected transcript of the shorthand notes.

b. The documents or parts of documents filed as exhibits with the Tribunal together with any additional parts of such documents recommended in accordance with the Tribunal's order of 30 May 1946 by the Prosecution and Defense Counsel and approved by the Editor. These documents consist of:

(1) Documents filed as exhibits with the Tribunal, the whole or parts of which were read into the record.

(2) Documents filed as exhibits with the Tribunal, which, when "cited", had not been translated and which, on or before 31 August, were translated in all four languages so as to make them admissible.

c. Documents which were "judicially noticed" by the Tribunal. This class of documents includes treaties, laws, official publications, books, magazines and newspapers of national circulation as well as the documents specified in Article 21.

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d. (1) Final report on defense witnesses for organizations by Lieutenant Colonel Neave.

(2) Summaries of witnesses heard before the Commission.

(3) Summaries of affidavits presented to the Commission.

e. Photographs filed as exhibits.

f. Descriptions or photographs of material exhibits.

g. Copies of visual aids, such as charts, etc.

h. The judgment and sentences.

3. a. The following number of volumes will be printed: 10,000 in English, 5,000 in French, 5,000 in Russian, and 5,000 in German.

b. The General Secretary, upon the completion of the printing of the record or parts thereof, shall notify the Control Council in Berlin and shall make distribution in accordance with its instructions.

4. With regard to the printing of the Russian editions, the Tribunal approves the following arrangements:

a. That the Tribunal pay all expenses of the printing of the Russian edition, with the exception of the salaries of Soviet employees, such as proof readers.

b. That the Office of Director of Printing supply all materials needed for the Russian edition.

c. That the printing and binding be done in Leipzig, because of the availability in the Russian Zone of Russian type and Russian employees.

d. That the Editor and Printer be responsible for the supervision of the publication of the Russian edition, as well as the English, French, and German editions.

5. In accordance with the request of the Editor that certain persons should assist him in the preparation of the Printed Record, the appointment of the following persons is approved:

a. Mr. Mercer of the Translation Division, representing the British Delegation;

b. Mr. Fuster, representing the French Delegation;

c. Major Poltorak, representing the Soviet Delegation;

d. Dr. Kraus, representing the Defense Counsel.

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The above named persons will be responsible for finally corrected texts for publication in the languages which they represent. The Editor will assist them in every way possible to assure uniformity in the several texts.

6. The General Secretary shall remain in office in Nurnberg with an adequate staff until the record and printing thereof is complete.

7. The General Secretary shall make the necessary arrangements with the Control Council for the provision of funds to pay expenses of his office and the salaries of the personnel required for translation and other purposes incident to the printing of the record.

8. If the General Secretary has any questions in connection with the printing of the record upon which he requires a decision, these questions shall be referred to the Control Council.

II. After hearing the views of the four Chief Prosecutors, the Tribunal reaffirmed Rule 10 of the rules of procedure relative to the withdrawal of documents and substitution of certified copies thereof. On receipt of applications from the Prosecution or Defense, the General Secretary is authorized to act on behalf of the Tribunal in "permitting" the withdrawal and substitution as laid down in Rule 10.

Minutes - 1 October 1946

I. The Tribunal made the following decisions regarding the archives:

A. The archives will consist of:

1. a. The "master" copy of the final corrected transcript of the shorthand notes in each of the four languages certified by the General Secretary.

b. A copy of the uncorrected transcript of the shorthand notes in each of the four languages.

c. The electrical recording of the proceedings.

2. The four copies of the indictment actually lodged with the Tribunal in Berlin in October 1945.

3. The originals of the rules of procedure, written orders of the Tribunal, etc., in all four languages.

4. The original minutes of the closed sessions of the Tribunal.

5. Documentary and other exhibits, viz:

a. All original documents filed as exhibits with the Tribunal and not withdrawn in accordance with Rule 10.

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b. Copies of all original documents filed as exhibits with the Tribunal and withdrawn in accordance with Rule 10.

c. Certified copies, or officially printed copies, of all documents "judicially noticed" by the Tribunal.

d. Material exhibits.

e. Films shown to the Tribunal.

f. Visual aids such as charts, etc., used by the Tribunal.

g. Transcript of the shorthand notes of the evidence heard before the Commission.

h. Affidavits presented to the Commission.

i. The summaries of witnesses heard before the Commission.

j. The summaries of affidavits presented to the Commission.

k. Lieutenant Colonel Neave's report on defense witnesses for the organizations.

6. The signed judgment and sentences in each of the four languages.

II. The General Secretary will prepare and certify a schedule, to be preserved with the archives, of all the documentary and other exhibits included in the archives. This schedule will be sufficiently detailed to identify each document by reference to its title and, in appropriate cases, its exhibit and series number. In the cases of non-original documents, the schedule should, if possible, state where and in whose custody the originals are at the time of preparation of the schedule.

III. The archives shall be kept by the General Secretary so long as that office remains in existence and thereafter at The Permanent Court of International Justice of The Hague.

IV. Official representatives of the four signatory powers shall be permitted to copy by photostat, microfilm, or in any other way, any item included in the archives.

H5171 - 0023

18 October 1946

COURT RULINGS ON FINAL RECORD

Minutes - 5 January 1946

The Tribunal discussed at length the various problems regarding the formal record of proceedings of the Tribunal. During this discussion representatives of the Prosecution, Defense, the Soviet, British, French and American Secretaries and the Translation Division were present. The Tribunal made the following decision:

a. The Translation Division should continue the work of preparing a corrected text in English of the proceedings in Court by checking the stenographer's transcript with the film record of the proceedings.

b. This corrected text in English should be submitted to the General Secretary who should arrange with the Soviet and French Secretaries for the preparation of the corrected texts in Russian and French.

c. The General Secretary should also arrange for the preparation of a corrected text in German, and Dr. Stahmer promised the full cooperation of the Defense Counsel in this work.

d. The General Secretary, together with the four National Secretaries, after consultation with the Prosecutors and the Defense Counsel, should make what minor grammatical and other emendations to the four corrected texts they consider necessary in order that the texts should be complete and without manifest error. Should the General Secretary and the four National Secretaries fail to reach agreement on some of the proposed emendations, the matter is to be referred to the Tribunal for their decision.

e. The General Secretary should then issue the corrected emended texts in English, Russian, French, and German.

f. The Tribunal decided to defer for the time being the further questions relating to the form of the final record.

Lieutenant Commander Steer, of the Translation Division, undertook to supply the Tribunal with a copy of the instructions given to the staff so that the Tribunal would be aware of the principles upon which the corrected text was being prepared, and the extent of the alterations and emendations.

Minutes - 6 March 1946

The Tribunal agreed to adopt the following resolution pertaining to the printing of the transcripts:

a. That the official revised transcript of the proceedings in Court be printed officially on behalf of the Tribunal in English, French, German, and Russian as soon as the texts have been certified.

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Minutes - 6 March 1946 (cont'd)

b. That the General Secretary be authorized to arrange for the employment of a Director of Printing, with necessary staff and facilities, who shall be charged with the duty of printing the transcript and settling all technical problems of supply and similar matters.

c. That the General Secretary be charged with the editorial supervision of the work, and that he be directed to carry this out in such a manner as to facilitate the addition of further material whenever the Tribunal so decides.

d. That, for the purpose of obtaining the necessary supplies and funds, the General Secretary be directed to proceed on the basis of Lieutenant Commander Steer's memorandum of 19 February 1946.

e. That the Control Counsel be informed of the Tribunal's resolution and be requested to grant the necessary facilities in respect to paper, materials and funds.

Minutes - 4 May 1946

The recommendations for the material to be printed in the first volume of the transcript of the proceedings of the trials as submitted by the Committee were considered. After discussion it was agreed that the following would be included in the first volume--the exact order in the printed volume to be an editorial decision when all the material is available:

1. Title page.
2. Table of contents.
3. List of judges.
4. List of prosecutors - legal not administrative.
5. List of defense counsel and associates.
6. List of principal officials of General Secretariat and Secretariats of four nations.
7. Agreements of the 8th of August and Charter.
8. Indictment.
9. Rules of procedure.
10. Certificates of Service of Indictment on defendants.
11. Written Order as to publication of notices to defendant Bormann and members of groups and organizations.
12. Report of Major Hortin as to publication of notices and any subsequent such reports.
13. Report of the proceedings in open session in Berlin on lodging of Indictment.
14. Transcripts of open sessions at Nurnberg prior to 20 November 1945.
15. Any written motions made to the Tribunal referred to in the preliminary open sessions.
16. Doctors' reports on the defendant Krupp.
17. Order as to medical examination of Hess.
18. Doctors' reports on the defendant Hess.
19. Doctors' reports on the defendant Streicher.

H5171 - 0025

Minutes - 6 May 1946

The Tribunal discussed the problem of the printing of the record. Mr. Biddle submitted a proposed order on this subject which was turned over to Mr. Barton for study and report by the Committee. It was further decided that in the meantime the members of the Tribunal would discuss the proposed order with the Chief Prosecutors. It was decided that recommendations for the position of Editor should be made by the Committee.

Minutes - 30 May 1946

ORDER FOR PRINTING OF RECORD

(1) Every document or portion of a document offered in evidence, or of which judicial notice was taken by the Tribunal, shall be lodged with the General Secretary.

(2) The General Secretary shall, subject to the approval of the Tribunal, employ under his direction an Editor of the Record, with appropriate staff and facilities, who shall be charged with the duty of arranging, editing and preparing for printing, and printing, material authorized to be printed by the Tribunal. There shall be printed, in addition to what the Tribunal has already authorized, under further orders of the Tribunal, material from the following:

(a) entire documents which are submitted, or from which extracts have been submitted:
(b) photographs and descriptions or photographs of non-documentary exhibits;
(c) documents or parts of documents judicially noticed by the Tribunal;
(d) published orders of the Tribunal not included in the transcript;
(e) such further material as the Tribunal from time to time may direct.

(3) The General Secretary shall

(a) prepare a list of all documents put in evidence before the Tribunal or noticed judicially by the Tribunal, and shall indicate therein those documents which have not been read and those documents from which extracts only have been read;
(b) ascertain and report to the Tribunal the views of the chief prosecutors and defense counsel as to those documents, or parts of documents, which they recommend for printing;
(c) ascertain and report to the Tribunal to what extent there are available translations into English, French, German and Russian of the material recommended in Paragraph (2) above.

H5171-0026

Minutes - 14 August 1946

The Tribunal revised the ruling of 1 December 1945 regarding custodian of fund established by the International Military Tribunal, to read as follows:

> The General Secretary is hereby authorized and directed to draw on the Tribunal fund for the purpose of paying expenses of the Tribunal and the present trial, including such items as counsel fees and costs, and expenses incident to the printing of the record.

Minutes - 14 August 1946

The request of the General Secretary for authorization to employ Professor Herbert Kraus as Assistant to the Editor of the Record on behalf of the Defense Counsel was approved by the Tribunal. The General Secretary is authorized to pay Dr. Kraus a salary of 3,500 RM per month.

Minutes - 29 September 1946

I. After receiving reports of Lieutenant Colonel L. D. Egbert, the Editor of the Record, and of Commander Steer, Head of the Translation Division, the Tribunal made the following decisions with respect to the printing of the record:

1. The printed Record will be in all four languages with the exception of the documents or parts of documents referred to in Paragraphs 2 b and c below, which will be printed in their original language only.

2. In addition to the material agreed upon by the Tribunal on 4 May 1946, there shall be printed:

a. The corrected transcript of the shorthand notes.

b. The documents or parts of documents filed as exhibits with the Tribunal together with any additional parts of such documents recommended in accordance with the Tribunal's order of 30 May 1946 by the Prosecution and Defense Counsel and approved by the Editor. These documents consist of:

(1) Documents filed as exhibits with the Tribunal, the whole or parts of which were read into the record.

(2) Documents filed as exhibits with the Tribunal, which, when "cited", had not been translated and which, on or before 31 August, were translated in all four languages so as to make them admissible.

c. Documents which were "judicially noticed" by the Tribunal. This class of documents includes treaties, laws, official publications, books, magazines and newspapers of national circulation as well as the documents specified in Article 21.

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d. (1) Final report on defense witnesses for organizations by Lieutenant Colonel Neave.

(2) Summaries of witnesses heard before the Commission.

(3) Summaries of affidavits presented to the Commission.

e. Photographs filed as exhibits.

f. Descriptions or photographs of material exhibits.

g. Copies of visual aids, such as charts, etc.

h. The judgment and sentences.

3. a. The following number of volumes will be printed: 10,000 in English, 5,000 in French, 5,000 in Russian, and 5,000 in German.

b. The General Secretary, upon the completion of the printing of the record or parts thereof, shall notify the Control Council in Berlin and shall make distribution in accordance with its instructions.

4. With regard to the printing of the Russian editions, the Tribunal approves the following arrangements:

a. That the Tribunal pay all expenses of the printing of the Russian edition, with the exception of the salaries of Soviet employees, such as proof readers.

b. That the Office of Director of Printing supply all materials needed for the Russian edition.

c. That the printing and binding be done in Leipzig, because of the availability in the Russian Zone of Russian type and Russian employees.

d. That the Editor and Printer be responsible for the supervision of the publication of the Russian edition, as well as the English, French, and German editions.

5. In accordance with the request of the Editor that certain persons should assist him in the preparation of the Printed Record, the appointment of the following persons is approved:

a. Mr. Mercer of the Translation Division, representing the British Delegation;

b. Mr. Fuster, representing the French Delegation;

c. Major Poltorak, representing the Soviet Delegation;

d. Dr. Kraus, representing the Defense Counsel.

The above named persons will be responsible for finally corrected texts for publication in the languages which they represent. The Editor will assist them in every way possible to assure uniformity in the several texts.

6. The General Secretary shall remain in office in Nurnberg with an adequate staff until the record and printing thereof is complete.

7. The General Secretary shall make the necessary arrangements with the Control Council for the provision of funds to pay expenses of his office and the salaries of the personnel required for translation and other purposes incident to the printing of the record.

8. If the General Secretary has any questions in connection with the printing of the record upon which he requires a decision, these questions shall be referred to the Control Council.

II. After hearing the views of the four Chief Prosecutors, the Tribunal reaffirmed Rule 10 of the rules of procedure relative to the withdrawal of documents and substitution of certified copies thereof. On receipt of applications from the Prosecution or Defense, the General Secretary is authorized to act on behalf of the Tribunal in "permitting" the withdrawal and substitution as laid down in Rule 10.

Minutes - 1 October 1946

I. The Tribunal made the following decisions regarding the archives:

A. The archives will consist of:

1. a. The "master" copy of the final corrected transcript of the shorthand notes in each of the four languages certified by the General Secretary.

b. A copy of the uncorrected transcript of the shorthand notes in each of the four languages.

c. The electrical recording of the proceedings.

2. The four copies of the indictment actually lodged with the Tribunal in Berlin in October 1945.

3. The originals of the rules of procedure, written orders of the Tribunal, etc., in all four languages.

4. The original minutes of the closed sessions of the Tribunal.

5. Documentary and other exhibits, viz:

a. All original documents filed as exhibits with the Tribunal and not withdrawn in accordance with Rule 10.

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b. Copies of all original documents filed as exhibits with the Tribunal and withdrawn in accordance with Rule 10.

c. Certified copies, or officially printed copies, of all documents "judicially noticed" by the Tribunal.

d. Material exhibits.

e. Films shown to the Tribunal.

f. Visual aids such as charts, etc., used by the Tribunal.

g. Transcript of the shorthand notes of the evidence heard before the Commission.

h. Affidavits presented to the Commission.

i. The summaries of witnesses heard before the Commission.

j. The summaries of affidavits presented to the Commission.

k. Lieutenant Colonel Neave's report on defense witnesses for the organizations.

6. The signed judgment and sentences in each of the four languages.

II. The General Secretary will prepare and certify a schedule, to be preserved with the archives, of all the documentary and other exhibits included in the archives. This schedule will be sufficiently detailed to identify each document by reference to its title and, in appropriate cases, its exhibit and series number. In the cases of non-original documents, the schedule should, if possible, state where and in whose custody the originals are at the time of preparation of the schedule.

III. The archives shall be kept by the General Secretary so long as that office remains in existence and thereafter at The Permanent Court of International Justice of The Hague.

IV. Official representatives of the four signatory powers shall be permitted to copy by photostat, microfilm, or in any other way, any item included in the archives.

H5171-0030

18 October 1946

COURT RULINGS ON FINAL RECORD

Minutes - 5 January 1946

The Tribunal discussed at length the various problems regarding the formal record of proceedings of the Tribunal. During this discussion representatives of the Prosecution, Defense, the Soviet, British, French and American Secretaries and the Translation Division were present. The Tribunal made the following decision:

a. The Translation Division should continue the work of preparing a corrected text in English of the proceedings in Court by checking the stenographer's transcript with the film record of the proceedings.

b. This corrected text in English should be submitted to the General Secretary who should arrange with the Soviet and French Secretaries for the preparation of the corrected texts in Russian and French.

c. The General Secretary should also arrange for the preparation of a corrected text in German, and Dr. Stahmer promised the full cooperation of the Defense Counsel in this work.

d. The General Secretary, together with the four National Secretaries, after consultation with the Prosecutors and the Defense Counsel, should make what minor grammatical and other emendations to the four corrected texts they consider necessary in order that the texts should be complete and without manifest error. Should the General Secretary and the four National Secretaries fail to reach agreement on some of the proposed emendations, the matter is to be referred to the Tribunal for their decision.

e. The General Secretary should then issue the corrected emended texts in English, Russian, French, and German.

f. The Tribunal decided to defer for the time being the further questions relating to the form of the final record.

Lieutenant Commander Steer, of the Translation Division, undertook to supply the Tribunal with a copy of the instructions given to the staff so that the Tribunal would be aware of the principles upon which the corrected text was being prepared, and the extent of the alterations and emendations.

Minutes - 6 March 1946

The Tribunal agreed to adopt the following resolution pertaining to the printing of the transcripts:

a. That the official revised transcript of the proceedings in Court be printed officially on behalf of the Tribunal in English, French, German, and Russian as soon as the texts have been certified.

H5171-0031

Minutes - 6 March 1946 (cont'd)

b. That the General Secretary be authorized to arrange for the employment of a Director of Printing, with necessary staff and facilities, who shall be charged with the duty of printing the transcript and settling all technical problems of supply and similar matters.

c. That the General Secretary be charged with the editorial supervision of the work, and that he be directed to carry this out in such a manner as to facilitate the addition of further material whenever the Tribunal so decides.

d. That, for the purpose of obtaining the necessary supplies and funds, the General Secretary be directed to proceed on the basis of Lieutenant Commander Steer's memorandum of 19 February 1946.

e. That the Control Counsel be informed of the Tribunal's resolution and be requested to grant the necessary facilities in respect to paper, materials and funds.

Minutes - 4 May 1946

The recommendations for the material to be printed in the first volume of the transcript of the proceedings of the trials as submitted by the Committee were considered. After discussion it was agreed that the following would be included in the first volume--the exact order in the printed volume to be an editorial decision when all the material is available:

1. Title page.
2. Table of contents.
3. List of judges.
4. List of prosecutors - legal not administrative.
5. List of defense counsel and associates.
6. List of principal officials of General Secretariat and Secretariats of four nations.
7. Agreements of the 8th of August and Charter.
8. Indictment.
9. Rules of procedure.
10. Certificates of Service of Indictment on defendants.
11. Written Order as to publication of notices to defendant Bormann and members of groups and organizations.
12. Report of Major Herbin as to publication of notices and any subsequent such reports.
13. Report of the proceedings in open session in Berlin on lodging of Indictment.
14. Transcripts of open sessions at Nuremberg prior to 20 November 1945.
15. Any written motions made to the Tribunal referred to in the preliminary open sessions.
16. Doctors' reports on the defendant Krupp.
17. Order as to medical examination of Hess.
18. Doctors' reports on the defendant Hess.
19. Doctors' reports on the defendant Streicher.

H5171 - 0032

Minutes - 6 May 1946

The Tribunal discussed the problem of the printing of the record. Mr. Biddle submitted a proposed order on this subject which was turned over to Mr. Barton for study and report by the Committee. It was further decided that in the meantime the members of the Tribunal would discuss the proposed order with the Chief Prosecutors. It was decided that recommendations for the position of Editor should be made by the Committee.

Minutes - 30 May 1946

ORDER FOR PRINTING OF RECORD

(1) Every document or portion of a document offered in evidence, or of which judicial notice was taken by the Tribunal, shall be lodged with the General Secretary.

(2) The General Secretary shall, subject to the approval of the Tribunal, employ under his direction an Editor of the Record, with appropriate staff and facilities, who shall be charged with the duty of arranging, editing and preparing for printing, and printing, material authorized to be printed by the Tribunal. There shall be printed, in addition to what the Tribunal has already authorized, under further orders of the Tribunal, material from the following:

(a) entire documents which are submitted, or from which extracts have been submitted:
(b) photographs and descriptions or photographs of non-documentary exhibits;
(c) documents or parts of documents judicially noticed by the Tribunal;
(d) published orders of the Tribunal not included in the transcript;
(e) such further material as the Tribunal from time to time may direct.

(3) The General Secretary shall

(a) prepare a list of all documents put in evidence before the Tribunal or noticed judicially by the Tribunal, and shall indicate therein those documents which have not been read and those documents from which extracts only have been read;
(b) ascertain and report to the Tribunal the views of the chief prosecutors and defense counsel as to those documents, or parts of documents, which they recommend for printing;
(c) ascertain and report to the Tribunal to what extent there are available translations into English, French, German and Russian of the material recommended in Paragraph (2) above.

H5171 - 0033

Minutes - 14 August 1946

The Tribunal revised the ruling of 1 December 1945 regarding custodian of fund established by the International Military Tribunal, to read as follows:

> The General Secretary is hereby authorized and directed to draw on the Tribunal fund for the purpose of paying expenses of the Tribunal and the present trial, including such items as counsel fees and costs, and expenses incident to the printing of the record.

Minutes - 14 August 1946

The request of the General Secretary for authorization to employ Professor Herbert Kraus as Assistant to the Editor of the Record on behalf of the Defense Counsel was approved by the Tribunal. The General Secretary is authorized to pay Dr. Kraus a salary of 3,500 RM per month.

Minutes - 29 September 1946

I. After receiving reports of Lieutenant Colonel L. D. Egbert, the Editor of the Record, and of Commander Steer, Head of the Translation Division, the Tribunal made the following decisions with respect to the printing of the record:

1. The printed Record will be in all four languages with the exception of the documents or parts of documents referred to in Paragraphs 2 b and c below, which will be printed in their original language only.

2. In addition to the material agreed upon by the Tribunal on 4 May 1946, there shall be printed:

a. The corrected transcript of the shorthand notes.

b. The documents or parts of documents filed as exhibits with the Tribunal together with any additional parts of such documents recommended in accordance with the Tribunal's order of 30 May 1946 by the Prosecution and Defense Counsel and approved by the Editor. These documents consist of:

(1) Documents filed as exhibits with the Tribunal, the whole or parts of which were read into the record.

(2) Documents filed as exhibits with the Tribunal, which, when "cited", had not been translated and which, on or before 31 August, were translated in all four languages so as to make them admissible.

c. Documents which were "judicially noticed" by the Tribunal. This class of documents includes treaties, laws, official publications, books, magazines and newspapers of national circulation as well as the documents specified in Article 21.

H5171 - 0034

d. (1) Final report on defense witnesses for organizations by Lieutenant Colonel Neave.

(2) Summaries of witnesses heard before the Commission.

(3) Summaries of affidavits presented to the Commission.

e. Photographs filed as exhibits.

f. Descriptions or photographs of material exhibits.

g. Copies of visual aids, such as charts, etc.

h. The judgment and sentences.

3. a. The following number of volumes will be printed: 10,000 in English, 5,000 in French, 5,000 in Russian, and 5,000 in German.

b. The General Secretary, upon the completion of the printing of the record or parts thereof, shall notify the Control Council in Berlin and shall make distribution in accordance with its instructions.

4. With regard to the printing of the Russian editions, the Tribunal approves the following arrangements:

a. That the Tribunal pay all expenses of the printing of the Russian edition, with the exception of the salaries of Soviet employees, such as proof readers.

b. That the Office of Director of Printing supply all materials needed for the Russian edition.

c. That the printing and binding be done in Leipzig, because of the availability in the Russian Zone of Russian type and Russian employees.

d. That the Editor and Printer be responsible for the supervision of the publication of the Russian edition, as well as the English, French, and German editions.

5. In accordance with the request of the Editor that certain persons should assist him in the preparation of the Printed Record, the appointment of the following persons is approved:

a. Mr. Mercer of the Translation Division, representing the British Delegation;

b. Mr. Fuster, representing the French Delegation;

c. Major Poltorak, representing the Soviet Delegation;

d. Dr. Kraus, representing the Defense Counsel.

H5171 - 0035

The above named persons will be responsible for finally corrected texts for publication in the languages which they represent. The Editor will assist them in every way possible to assure uniformity in the several texts.

6. The General Secretary shall remain in office in Nurnberg with an adequate staff until the record and printing thereof is complete.

7. The General Secretary shall make the necessary arrangements with the Control Council for the provision of funds to pay expenses of his office and the salaries of the personnel required for translation and other purposes incident to the printing of the record.

8. If the General Secretary has any questions in connection with the printing of the record upon which he requires a decision, these questions shall be referred to the Control Council.

II. After hearing the views of the four Chief Prosecutors, the Tribunal reaffirmed Rule 10 of the rules of procedure relative to the withdrawal of documents and substitution of certified copies thereof. On receipt of applications from the Prosecution or Defense, the General Secretary is authorized to act on behalf of the Tribunal in "permitting" the withdrawal and substitution as laid down in Rule 10.

Minutes - 1 October 1946

I. The Tribunal made the following decisions regarding the archives:

A. The archives will consist of:

1. a. The "master" copy of the final corrected transcript of the shorthand notes in each of the four languages certified by the General Secretary.

b. A copy of the uncorrected transcript of the shorthand notes in each of the four languages.

c. The electrical recording of the proceedings.

2. The four copies of the indictment actually lodged with the Tribunal in Berlin in October 1945.

3. The originals of the rules of procedure, written orders of the Tribunal, etc., in all four languages.

4. The original minutes of the closed sessions of the Tribunal.

5. Documentary and other exhibits, viz:

a. All original documents filed as exhibits with the Tribunal and not withdrawn in accordance with Rule 10.

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b. Copies of all original documents filed as exhibits with the Tribunal and withdrawn in accordance with Rule 10.

c. Certified copies, or officially printed copies, of all documents "judicially noticed" by the Tribunal.

d. Material exhibits.

e. Films shown to the Tribunal.

f. Visual aids such as charts, etc., used by the Tribunal.

g. Transcript of the shorthand notes of the evidence heard before the Commission.

h. Affidavits presented to the Commission.

i. The summaries of witnesses heard before the Commission.

j. The summaries of affidavits presented to the Commission.

k. Lieutenant Colonel Neave's report on defense witnesses for the organizations.

6. The signed judgment and sentences in each of the four languages.

II. The General Secretary will prepare and certify a schedule, to be preserved with the archives, of all the documentary and other exhibits included in the archives. This schedule will be sufficiently detailed to identify each document by reference to its title and, in appropriate cases, its exhibit and series number. In the cases of non-original documents, the schedule should, if possible, state where and in whose custody the originals are at the time of preparation of the schedule.

III. The archives shall be kept by the General Secretary so long as that office remains in existence and thereafter at The Permanent Court of International Justice of The Hague.

IV. Official representatives of the four signatory powers shall be permitted to copy by photostat, microfilm, or in any other way, any item included in the archives.

H5171-0037

18 October 1946

COURT RULINGS ON FINAL RECORD

Minutes - 5 January 1946

The Tribunal discussed at length the various problems regarding the formal record of proceedings of the Tribunal. During this discussion representatives of the Prosecution, Defense, the Soviet, British, French and American Secretaries and the Translation Division were present. The Tribunal made the following decision:

a. The Translation Division should continue the work of preparing a corrected text in English of the proceedings in Court by checking the stenographer's transcript with the film record of the proceedings.

b. This corrected text in English should be submitted to the General Secretary who should arrange with the Soviet and French Secretaries for the preparation of the corrected texts in Russian and French.

c. The General Secretary should also arrange for the preparation of a corrected text in German, and Dr. Stahmer promised the full cooperation of the Defense Counsel in this work.

d. The General Secretary, together with the four National Secretaries, after consultation with the Prosecutors and the Defense Counsel, should make what minor grammatical and other emendations to the four corrected texts they consider necessary in order that the texts should be complete and without manifest error. Should the General Secretary and the four National Secretaries fail to reach agreement on some of the proposed emendations, the matter is to be referred to the Tribunal for their decision.

e. The General Secretary should then issue the corrected emended texts in English, Russian, French, and German.

f. The Tribunal decided to defer for the time being the further questions relating to the form of the final record.

Lieutenant Commander Steer, of the Translation Division, undertook to supply the Tribunal with a copy of the instructions given to the staff so that the Tribunal would be aware of the principles upon which the corrected text was being prepared, and the extent of the alterations and emendations.

Minutes - 6 March 1946

The Tribunal agreed to adopt the following resolution pertaining to the printing of the transcripts:

a. That the official revised transcript of the proceedings in Court be printed officially on behalf of the Tribunal in English, French, German, and Russian as soon as the texts have been certified.

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b. That the General Secretary be authorized to arrange for the employment of a Director of Printing, with necessary staff and facilities, who shall be charged with the duty of printing the transcript and settling all technical problems of supply and similar matters.

c. That the General Secretary be charged with the editorial supervision of the work, and that he be directed to carry this out in such a manner as to facilitate the addition of further material whenever the Tribunal so decides.

d. That, for the purpose of obtaining the necessary supplies and funds, the General Secretary be directed to proceed on the basis of Lieutenant Commander Steer's memorandum of 19 February 1946.

e. That the Control Counsel be informed of the Tribunal's resolution and be requested to grant the necessary facilities in respect to paper, materials and funds.

Minutes - 4 May 1946

The recommendations for the material to be printed in the first volume of the transcript of the proceedings of the trials as submitted by the Committee were considered. After discussion it was agreed that the following would be included in the first volume--the exact order in the printed volume to be an editorial decision when all the material is available:

1. Title page.
2. Table of contents.
3. List of judges.
4. List of prosecutors - legal not administrative.
5. List of defense counsel and associates.
6. List of principal officials of General Secretariat and Secretariats of four nations.
7. Agreements of the 8th of August and Charter.
8. Indictment.
9. Rules of procedure.
10. Certificates of Service of Indictment on defendants.
11. Written Order as to publication of notices to defendant Bormann and members of groups and organizations.
12. Report of Major Hortin as to publication of notices and any subsequent such reports.
13. Report of the proceedings in open session in Berlin on lodging of Indictment.
14. Transcripts of open sessions at Nurnberg prior to 20 November 1945.
15. Any written motions made to the Tribunal referred to in the preliminary open sessions.
16. Doctors' reports on the defendant Krupp.
17. Order as to medical examination of Hess.
18. Doctors' reports on the defendant Hess.
19. Doctors' reports on the defendant Streicher.

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Minutes - 6 May 1946

The Tribunal discussed the problem of the printing of the record. Mr. Biddle submitted a proposed order on this subject which was turned over to Mr. Barton for study and report by the Committee. It was further decided that in the meantime the members of the Tribunal would discuss the proposed order with the Chief Prosecutors. It was decided that recommendations for the position of Editor should be made by the Committee.

Minutes - 30 May 1946

ORDER FOR PRINTING OF RECORD

(1) Every document or portion of a document offered in evidence, or of which judicial notice was taken by the Tribunal, shall be lodged with the General Secretary.

(2) The General Secretary shall, subject to the approval of the Tribunal, employ under his direction an Editor of the Record, with appropriate staff and facilities, who shall be charged with the duty of arranging, editing and preparing for printing, and printing, material authorized to be printed by the Tribunal. There shall be printed, in addition to what the Tribunal has already authorized, under further orders of the Tribunal, material from the following:

(a) entire documents which are submitted, or from which extracts have been submitted;
(b) photographs and descriptions or photographs of non-documentary exhibits;
(c) documents or parts of documents judicially noticed by the Tribunal;
(d) published orders of the Tribunal not included in the transcript;
(e) such further material as the Tribunal from time to time may direct.

(3) The General Secretary shall

(a) prepare a list of all documents put in evidence before the Tribunal or noticed judicially by the Tribunal, and shall indicate therein those documents which have not been read and those documents from which extracts only have been read;
(b) ascertain and report to the Tribunal the views of the chief prosecutors and defense counsel as to those documents, or parts of documents, which they recommend for printing;
(c) ascertain and report to the Tribunal to what extent there are available translations into English, French, German and Russian of the material recommended in Paragraph (2) above.

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Minutes - 14 August 1946

The Tribunal revised the ruling of 1 Decembe · 1945 regarding custodian of fund established by the International Military Tribunal, to read as follows:

> The General Secretary is hereby authorized and directed to draw on the Tribunal fund for the purpose of paying expenses of the Tribunal and the present trial, including such items as counsel fees and costs, and expenses incident to the printing of the record.

Minutes - 14 August 1946

The request of the General Secretary for authorization to employ Professor Herbert Kraus as Assistant to the Editor of the Record on behalf of the Defense Counsel was approved by the Tribunal. The General Secretary is authorized to pay Dr. Kraus a salary of 3,500 RM per month.

Minutes - 29 September 1946

I. After receiving reports of Lieutenant Colonel L. D. Egbert, the Editor of the Record, and of Commander Steer, Head of the Translation Division, the Tribunal made the following decisions with respect to the printing of the record:

1. The printed Record will be in all four languages with the exception of the documents or parts of documents referred to in Paragraphs 2 b and c below, which will be printed in their original language only.

2. In addition to the material agreed upon by the Tribunal on 4 May 1946, there shall be printed:

a. The corrected transcript of the shorthand notes.

b. The documents or parts of documents filed as exhibits with the Tribunal together with any additional parts of such documents recommended in accordance with the Tribunal's order of 30 May 1946 by the Prosecution and Defense Counsel and approved by the Editor. These documents consist of:

(1) Documents filed as exhibits with the Tribunal, the whole or parts of which were read into the record.

(2) Documents filed as exhibits with the Tribunal, which, when "cited", had not been translated and which, on or before 31 August, were translated in all four languages so as to make them admissible.

c. Documents which were "judicially noticed" by the Tribunal. This class of documents includes treaties, laws, official publications, books, magazines and newspapers of national circulation as well as the documents specified in Article 21.

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d. (1) Final report on defense witnesses for organizations by Lieutenant Colonel Neave.

(2) Summaries of witnesses heard before the Commission.

(3) Summaries of affidavits presented to the Commission.

e. Photographs filed as exhibits.

f. Descriptions or photographs of material exhibits.

g. Copies of visual aids, such as charts, etc.

h. The judgment and sentences.

3. a. The following number of volumes will be printed: 10,000 in English, 5,000 in French, 5,000 in Russian, and 5,000 in German.

b. The General Secretary, upon the completion of the printing of the record or parts thereof, shall notify the Control Council in Berlin and shall make distribution in accordance with its instructions.

4. With regard to the printing of the Russian editions, the Tribunal approves the following arrangements:

a. That the Tribunal pay all expenses of the printing of the Russian edition, with the exception of the salaries of Soviet employees, such as proof readers.

b. That the Office of Director of Printing supply all materials needed for the Russian edition.

c. That the printing and binding be done in Leipzig, because of the availability in the Russian Zone of Russian type and Russian employees.

d. That the Editor and Printer be responsible for the supervision of the publication of the Russian edition, as well as the English, French, and German editions.

5. In accordance with the request of the Editor that certain persons should assist him in the preparation of the Printed Record, the appointment of the following persons is approved:

a. Mr. Mercer of the Translation Division, representing the British Delegation;

b. Mr. Fuster, representing the French Delegation;

c. Major Poltorak, representing the Soviet Delegation;

d. Dr. Kraus, representing the Defense Counsel.

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The above named persons will be responsible for finally corrected texts for publication in the languages which they represent. The Editor will assist them in every way possible to assure uniformity in the several texts.

6. The General Secretary shall remain in office in Nurnberg with an adequate staff until the record and printing thereof is complete.

7. The General Secretary shall make the necessary arrangements with the Control Council for the provision of funds to pay expenses of his office and the salaries of the personnel required for translation and other purposes incident to the printing of the record.

8. If the General Secretary has any questions in connection with the printing of the record upon which he requires a decision, these questions shall be referred to the Control Council.

II. After hearing the views of the four Chief Prosecutors, the Tribunal reaffirmed Rule 10 of the rules of procedure relative to the withdrawal of documents and substitution of certified copies thereof. On receipt of applications from the Prosecution or Defense, the General Secretary is authorized to act on behalf of the Tribunal in "permitting" the withdrawal and substitution as laid down in Rule 10.

Minutes - 1 October 1946

I. The Tribunal made the following decisions regarding the archives:

A. The archives will consist of:

1. a. The "master" copy of the final corrected transcript of the shorthand notes in each of the four languages certified by the General Secretary.

b. A copy of the uncorrected transcript of the shorthand notes in each of the four languages.

c. The electrical recording of the proceedings.

2. The four copies of the indictment actually lodged with the Tribunal in Berlin in October 1945.

3. The originals of the rules of procedure, written orders of the Tribunal, etc., in all four languages.

4. The original minutes of the closed sessions of the Tribunal.

5. Documentary and other exhibits, viz:

a. All original documents filed as exhibits with the Tribunal and not withdrawn in accordance with Rule 10.

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b. Copies of all original documents filed as exhibits with the Tribunal and withdrawn in accordance with Rule 10.

c. Certified copies, or officially printed copies, of all documents "judicially noticed" by the Tribunal.

d. Material exhibits.

e. Films shown to the Tribunal.

f. Visual aids such as charts, etc., used by the Tribunal.

g. Transcript of the shorthand notes of the evidence heard before the Commission.

h. Affidavits presented to the Commission.

i. The summaries of witnesses heard before the Commission.

j. The summaries of affidavits presented to the Commission.

k. Lieutenant Colonel Neave's report on defense witnesses for the organizations.

6. The signed judgment and sentences in each of the four languages.

II. The General Secretary will prepare and certify a schedule, to be preserved with the archives, of all the documentary and other exhibits included in the archives. This schedule will be sufficiently detailed to identify each document by reference to its title and, in appropriate cases, its exhibit and series number. In the cases of non-original documents, the schedule should, if possible, state where and in whose custody the originals are at the time of preparation of the schedule.

III. The archives shall be kept by the General Secretary so long as that office remains in existence and thereafter at The Permanent Court of International Justice of The Hague.

IV. Official representatives of the four signatory powers shall be permitted to copy by photostat, microfilm, or in any other way, any item included in the archives.

H5171-0044

18 October 1946

COURT RULINGS ON FINAL RECORD

Minutes - 5 January 1946

The Tribunal discussed at length the various problems regarding the formal record of proceedings of the Tribunal. During this discussion representatives of the Prosecution, Defense, the Soviet, British, French and American Secretaries and the Translation Division were present. The Tribunal made the following decision:

a. The Translation Division should continue the work of preparing a corrected text in English of the proceedings in Court by checking the stenographer's transcript with the film record of the proceedings.

b. This corrected text in English should be submitted to the General Secretary who should arrange with the Soviet and French Secretaries for the preparation of the corrected texts in Russian and French.

c. The General Secretary should also arrange for the preparation of a corrected text in German, and Dr. Stahmer promised the full cooperation of the Defense Counsel in this work.

d. The General Secretary, together with the four National Secretaries, after consultation with the Prosecutors and the Defense Counsel, should make what minor grammatical and other emendations to the four corrected texts they consider necessary in order that the texts should be complete and without manifest error. Should the General Secretary and the four National Secretaries fail to reach agreement on some of the proposed emendations, the matter is to be referred to the Tribunal for their decision.

e. The General Secretary should then issue the corrected emended texts in English, Russian, French, and German.

f. The Tribunal decided to defer for the time being the further questions relating to the form of the final record.

Lieutenant Commander Steer, of the Translation Division, undertook to supply the Tribunal with a copy of the instructions given to the staff so that the Tribunal would be aware of the principles upon which the corrected text was being prepared, and the extent of the alterations and emendations.

Minutes - 6 March 1946

The Tribunal agreed to adopt the following resolution pertaining to the printing of the transcripts:

a. That the official revised transcript of the proceedings in Court be printed officially on behalf of the Tribunal in English, French, German, and Russian as soon as the texts have been certified.

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Minutes - 6 March 1946 (cont'd)

b. That the General Secretary be authorized to arrange for the employment of a Director of Printing, with necessary staff and facilities, who shall be charged with the duty of printing the transcript and settling all technical problems of supply and similar matters.

c. That the General Secretary be charged with the editorial supervision of the work, and that he be directed to carry this out in such a manner as to facilitate the addition of further material whenever the Tribunal so decides.

d. That, for the purpose of obtaining the necessary supplies and funds, the General Secretary be directed to proceed on the basis of Lieutenant Commander Steer's memorandum of 19 February 1946.

e. That the Control Counsel be informed of the Tribunal's resolution and be requested to grant the necessary facilities in respect to paper, materials and funds.

Minutes - 4 May 1946

The recommendations for the material to be printed in the first volume of the transcript of the proceedings of the trials as submitted by the Committee were considered. After discussion it was agreed that the following would be included in the first volume--the exact order in the printed volume to be an editorial decision when all the material is available:

1. Title page.
2. Table of contents.
3. List of judges.
4. List of prosecutors - legal not administrative.
5. List of defense counsel and associates.
6. List of principal officials of General Secretariat and Secretariats of four nations.
7. Agreements of the 8th of August and Charter.
8. Indictment.
9. Rules of procedure.
10. Certificates of Service of Indictment on defendants.
11. Written Order as to publication of notices to defendant Bormann and members of groups and organizations.
12. Report of Major Hortin as to publication of notices and any subsequent such reports.
13. Report of the proceedings in open session in Berlin on lodging of Indictment.
14. Transcripts of open sessions at Nurnberg prior to 20 November 1945.
15. Any written motions made to the Tribunal referred to in the preliminary open sessions.
16. Doctors' reports on the defendant Krupp.
17. Order as to medical examination of Hess.
18. Doctors' reports on the defendant Hess.
19. Doctors' reports on the defendant Streicher.

H5171 - 0046

Minutes - 6 May 1946

The Tribunal discussed the problem of the printing of the record. Mr. Biddle submitted a proposed order on this subject which was turned over to Mr. Barton for study and report by the Committee. It was further decided that in the meantime the members of the Tribunal would discuss the proposed order with the Chief Prosecutors. It was decided that recommendations for the position of Editor should be made by the Committee.

Minutes - 30 May 1946

ORDER FOR PRINTING OF RECORD

(1) Every document or portion of a document offered in evidence, or of which judicial notice was taken by the Tribunal, shall be lodged with the General Secretary.

(2) The General Secretary shall, subject to the approval of the Tribunal, employ under his direction an Editor of the Record, with appropriate staff and facilities, who shall be charged with the duty of arranging, editing and preparing for printing, and printing, material authorized to be printed by the Tribunal. There shall be printed, in addition to what the Tribunal has already authorized, under further orders of the Tribunal, material from the following:

(a) entire documents which are submitted, or from which extracts have been submitted;
(b) photographs and descriptions or photographs of non-documentary exhibits;
(c) documents or parts of documents judicially noticed by the Tribunal;
(d) published orders of the Tribunal not included in the transcript;
(e) such further material as the Tribunal from time to time may direct.

(3) The General Secretary shall

(a) prepare a list of all documents put in evidence before the Tribunal or noticed judicially by the Tribunal, and shall indicate therein those documents which have not been read and those documents from which extracts only have been read;
(b) ascertain and report to the Tribunal the views of the chief prosecutors and defense counsel as to those documents, or parts of documents, which they recommend for printing;
(c) ascertain and report to the Tribunal to what extent there are available translations into English, French, German and Russian of the material recommended in Paragraph (2) above.

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Minutes - 14 August 1946

The Tribunal revised the ruling of 1 December 1945 regarding custodian of fund established by the International Military Tribunal, to read as follows:

> The General Secretary is hereby authorized and directed to draw on the Tribunal fund for the purpose of paying expenses of the Tribunal and the present trial, including such items as counsel fees and costs, and expenses incident to the printing of the record.

Minutes - 14 August 1946

The request of the General Secretary for authorization to employ Professor Herbert Kraus as Assistant to the Editor of the Record on behalf of the Defense Counsel was approved by the Tribunal. The General Secretary is authorized to pay Dr. Kraus a salary of 3,500 RM per month.

Minutes - 29 September 1946

I. After receiving reports of Lieutenant Colonel L. D. Egbert, the Editor of the Record, and of Commander Steer, Head of the Translation Division, the Tribunal made the following decisions with respect to the printing of the record:

1. The printed Record will be in all four languages with the exception of the documents or parts of documents referred to in Paragraphs 2 b and c below, which will be printed in their original language only.

2. In addition to the material agreed upon by the Tribunal on 4 May 1946, there shall be printed:

a. The corrected transcript of the shorthand notes.

b. The documents or parts of documents filed as exhibits with the Tribunal together with any additional parts of such documents recommended in accordance with the Tribunal's order of 30 May 1946 by the Prosecution and Defense Counsel and approved by the Editor. These documents consist of:

(1) Documents filed as exhibits with the Tribunal, the whole or parts of which were read into the record.

(2) Documents filed as exhibits with the Tribunal, which, when "cited", had not been translated and which, on or before 31 August, were translated in all four languages so as to make them admissible.

c. Documents which were "judicially noticed" by the Tribunal. This class of documents includes treaties, laws, official publications, books, magazines and newspapers of national circulation as well as the documents specified in Article 21.

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d. (1) Final report on defense witnesses for organizations by Lieutenant Colonel Neave.

(2) Summaries of witnesses heard before the Commission.

(3) Summaries of affidavits presented to the Commission.

e. Photographs filed as exhibits.

f. Descriptions or photographs of material exhibits.

g. Copies of visual aids, such as charts, etc.

h. The judgment and sentences.

3. a. The following number of volumes will be printed: 10,000 in English, 5,000 in French, 5,000 in Russian, and 5,000 in German.

b. The General Secretary, upon the completion of the printing of the record or parts thereof, shall notify the Control Council in Berlin and shall make distribution in accordance with its instructions.

4. With regard to the printing of the Russian editions, the Tribunal approves the following arrangements:

a. That the Tribunal pay all expenses of the printing of the Russian edition, with the exception of the salaries of Soviet employees, such as proof readers.

b. That the Office of Director of Printing supply all materials needed for the Russian edition.

c. That the printing and binding be done in Leipzig, because of the availability in the Russian Zone of Russian type and Russian employees.

d. That the Editor and Printer be responsible for the supervision of the publication of the Russian edition, as well as the English, French, and German editions.

5. In accordance with the request of the Editor that certain persons should assist him in the preparation of the Printed Record, the appointment of the following persons is approved:

a. Mr. Mercer of the Translation Division, representing the British Delegation;

b. Mr. Fuster, representing the French Delegation;

c. Major Poltorak, representing the Soviet Delegation;

d. Dr. Kraus, representing the Defense Counsel.

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The above named persons will be responsible for finally corrected texts for publication in the languages which they represent. The Editor will assist them in every way possible to assure uniformity in the several texts.

6. The General Secretary shall remain in office in Nurnberg with an adequate staff until the record and printing thereof is complete.

7. The General Secretary shall make the necessary arrangements with the Control Council for the provision of funds to pay expenses of his office and the salaries of the personnel required for translation and other purposes incident to the printing of the record.

8. If the General Secretary has any questions in connection with the printing of the record upon which he requires a decision, these questions shall be referred to the Control Council.

II. After hearing the views of the four Chief Prosecutors, the Tribunal reaffirmed Rule 10 of the rules of procedure relative to the withdrawal of documents and substitution of certified copies thereof. On receipt of applications from the Prosecution or Defense, the General Secretary is authorized to act on behalf of the Tribunal in "permitting" the withdrawal and substitution as laid down in Rule 10.

Minutes - 1 October 1946

I. The Tribunal made the following decisions regarding the archives:

A. The archives will consist of:

1. a. The "master" copy of the final corrected transcript of the shorthand notes in each of the four languages certified by the General Secretary.

b. A copy of the uncorrected transcript of the shorthand notes in each of the four languages.

c. The electrical recording of the proceedings.

2. The four copies of the indictment actually lodged with the Tribunal in Berlin in October 1945.

3. The originals of the rules of procedure, written orders of the Tribunal, etc., in all four languages.

4. The original minutes of the closed sessions of the Tribunal.

5. Documentary and other exhibits, viz:

a. All original documents filed as exhibits with the Tribunal and not withdrawn in accordance with Rule 10.

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b. Copies of all original documents filed as exhibits with the Tribunal and withdrawn in accordance with Rule 10.

c. Certified copies, or officially printed copies, of all documents "judicially noticed" by the Tribunal.

d. Material exhibits.

e. Films shown to the Tribunal.

f. Visual aids such as charts, etc., used by the Tribunal.

g. Transcript of the shorthand notes of the evidence heard before the Commission.

h. Affidavits presented to the Commission.

i. The summaries of witnesses heard before the Commission.

j. The summaries of affidavits presented to the Commission.

k. Lieutenant Colonel Neave's report on defense witnesses for the organizations.

6. The signed judgment and sentences in each of the four languages.

II. The General Secretary will prepare and certify a schedule, to be preserved with the archives, of all the documentary and other exhibits included in the archives. This schedule will be sufficiently detailed to identify each document by reference to its title and, in appropriate cases, its exhibit and series number. In the cases of non-original documents, the schedule should, if possible, state where and in whose custody the originals are at the time of preparation of the schedule.

III. The archives shall be kept by the General Secretary so long as that office remains in existence and thereafter at The Permanent Court of International Justice of The Hague.

IV. Official representatives of the four signatory powers shall be permitted to copy by photostat, microfilm, or in any other way, any item included in the archives.

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Court Order on Trans Record

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